

INTERNATIONAL SEARCH REPORT

IB04/03429

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07C309/76 C07C309/75 C07C205/37 C07C217/86 C07C271/28
 C07D209/04 C07D215/00 C07D265/36 A61K31/196 A61K31/216
 A61K31/325 A61K31/4045 A61K31/47 A61K31/538 A61P3/06

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07C A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO- Internal, CHEM ABS Data, WPI Data, PAJ, BEILSTEIN Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 859 051 A (ADAMS ET AL) 12 January 1999 (1999-01-12) cited in the application on	2
X	col umn 16; figure 1	18
Y	col umn 44; example 18	3-7, 20-27
	col umn 64, line 40 - line 58 claims	
X	wo 03/033481 A (DR. REDDY'S LABORATORIES LTD; BHUNIYA, DEBNATH; DAS, SAIBAL, KUMAR; MA) 24 April 2003 (2003-04-24) cited in the application on	2
Y	claims ; examples	3-7, 20-27
	page 129, line 23 - page 136, line 14; examples	
	----- -/-	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

14 June 2005

Date of mailing of the international search report

15. 11. 2005

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No
P,X	WO 2004/071416 A (CITY OF HOPE; LALEZARI ₅ IRAJ; RAHBAR ₅ SAMUEL) 26 August 2004 (2004-08-26) figure 10 -----	2
X	US 2002/013256 A1 (RAHBAR SAMUEL ET AL) 31 January 2002 (2002-01-31) figure 15; example LR102 -----	2
X	WO 03/053974 A (DR. REDDY'S LABORATORIES LTD; DAS, SAIBAL ₅ KUMAR; BHUNIYA ₅ DEBNATH; MA) 3 July 2003 (2003-07-03) page 74, line 12 - line 23; example 19 -----	2
X A	page 75, line 13 - line 24; example 21 the whole document -----	5 20-27
X	WO 03/048116 A (DR. REDDY'S LABORATORIES LTD; BHUNIYA ₅ DEBNATH; DAS ₅ SAIBAL ₅ KUMAR; MA) 12 June 2003 (2003-06-12) page 64, line 1 - page 87, line 15; examples 1-3,5-10,13-15,17-24,29,30,35,37-39,44-46 -----	2,3, 20-27
Y	page 91, line 7 - page 96, line 9 -----	4-7, 20-27

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 1,18,19 (81 1 partly)
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
see annex

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

Continuation of Box II. 2

Claims Nos.: 1,18,19(all partly)

Present claims 1,18 and 19 relate to an extremely large number of possible compounds/process/use. Support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the compounds/process/use claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. For example such a compound as biphenyl acetic acid is encompassed by the scope of claim 1, although it is obviously not supported in the application. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the compounds of formula Ia-If, the process to obtain them as well as their pharmaceutical use

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 2-7,18-27(partly)

Compounds of formula Ia, Ib and their use.

1.1. claims: 5-7 and 18-27(partly)

Compounds of formula Ib and their use

2. claims: 8-12,18-27(partly)

Compounds of formula Ic and Id and their use

3. claims: 13-17, (18-27 (partly)

Compounds of formula Ie, If and their use.

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Patent document cited in search report		Publication date	Patent family member(s)			Publication date
US 5859051	A	12-01-1999	NONE			

wo 03033481	A	24-04-2003	BR	0213350	A	13-10-2004
			BR	G213380	A	01-02-2005
			CA	2463685	A1	24-04-2003
			CA	2463686	A1	24-04-2003
			CN	1589258	A	02-03-2005
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			EP	1436268	A1	14-07-2004
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			US	2005113368	A1	26-05-2005
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			BR	0214675	A	19-10-2004
			CA	2469227	A1	12-06-2003
			EP	1453795	A2	08-09-2004
			HR	20040485	A2	31-08-2005
			HU	0402550	A2	28-07-2005
			JP	2005511686	T	28-04-2005
